

CLASSIFICATION OFFICE DECISION

Title of publication:

163445_105537072854866_100001957217456_44218_3284719_n.jpg

Other known title(s): Not stated

OFLC ref: 1300159.000

Medium: Computer Image File Printout

Distributor: Not stated

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 13 March 2013

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 12 March 2013

Summary of reasons for decision:

The printout has a photographic image showing a naked girl, approximately 5-6 years old, with a clothed woman who looks to be her mother sitting alongside her on a comfortable chair. The little girl smiles at the camera and stands unselfconsciously. The image is likely to be a snapshot taken on a family occasion. It cannot reasonably be regarded as sexual in nature. It has no sexual content and no evidence of a sexual purpose. A viewer's predisposition to regard any image of nudity as having a sexual meaning may result in a sexual interpretation, but to others the image simply depicts a young girl in a family environment where nudity may not be unusual.

The image raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993. The printout must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.

